

EXHIBIT M

DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Civil No. 2010-48
)
GOVERNMENT OF THE VIRGIN ISLANDS,)
VIRGIN ISLANDS PORT AUTHORITY, VIRGIN)
ISLANDS WASTE MANAGEMENT AUTHORITY,)
JOSEPH HODGE, and ZULMA HODGE,)
)
Defendants.)

)
JOSEPH HODGE and ZULMA HODGE,)
)
Third-party plaintiffs,)
)
v.)
)
A-9 TRUCKING ENTERPRISES, INC.; LESTER)
ASHBY, and REYNALD CHARLES,)
)
Third-party defendants.)

)
A-9 TRUCKING ENTERPRISES, INC.)
)
Counter/cross-claimant,)
)
v.)
)
JOSEPH HODGE and ZULMA HODGE,)
)
Counterclaim defendants,)
)
and)
)
LESTER ASHBY and REYNALD CHARLES,)
)
Cross-claim defendants.)

)

REYNALD CHARLES,)
)
Counter/cross-claimant,)
)
v.)
)
JOSEPH HODGE and ZULMA HODGE,)
)
Counterclaim defendants,)
)
and)
)
LESTER ASHBY and A-9 TRUCKING)
ENTERPRISES, INC.,)
)
Cross-claim defendants.)
_____)

ATTORNEYS:

Myles E. Flint, Trial Attorney
Mark Gallagher, Trial Attorney
United States Department of Justice
Washington, DC
For the plaintiff,

Vincent F. Frazer, Attorney General
Virgin Islands Department of Justice
St. Thomas, VI
John Fehrenbach, Esq.
Winston & Strawn LLP
Washington, DC
For the defendant Government of the Virgin Islands,

Don C. Mills, General Counsel
Virgin Islands Port Authority
St. Thomas, VI
For the defendant Virgin Islands Port Authority,

Iver A. Stridiron, General Counsel
Virgin Islands Waste Management Authority
St. Croix, VI
*For the defendant Virgin Islands Waste Management
Authority,*

Henry C. Smock, Esq.

Kyle R. Waldner, Esq.

Smock & Moorehead

St. Thomas, VI

*For the defendants/third-party-plaintiffs/counterclaim
defendants Joseph Hodge and Zulma Hodge,*

Jennifer Jones, Esq.

Law Offices of Jennifer Jones

St. Thomas, VI

*For the third-party defendant/counter/cross-claimant/cross-
claim defendant A-9 Trucking Enterprises and the third-party
defendant/cross-claim defendant Lester Ashby,*

Clive Claudius Rivers, Esq.

Law Offices of Clive Rivers

St. Thomas, VI

*For the third-party defendant/counter/cross-claimant
Reynald Charles.*

ORDER

GÓMEZ, C.J.

Before the Court is the proposed Consent Judgment between the plaintiff, the United States of America, and the defendants the Government of the Virgin Islands and the Virgin Islands Waste Management Authority.

The premises having been considered, it is hereby

ORDERED that the Consent Judgment is **APPROVED**, provided that paragraph eighty-nine shall be **AMENDED** to read:

The Parties shall bear their own costs of this action, including attorneys' fees, except that the United States shall be entitled to collect the costs (including reasonable attorneys' fees) incurred in any action necessary to collect any portion of the civil penalty or any stipulated penalties due but not paid by Defendants.

S\ _____
Curtis V. Gómez
Chief Judge